



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 26] नई दिल्ली, सोमवार, अगस्त 1, 1977 श्रावण 10, 1899
No. 26] NEW DELHI, MONDAY, AUGUST 1, 1977/SRAVANA 10, 1899

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 1st August, 1977.—

BILL No. 90 OF 1977

A Bill further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1977.

Short title.

58 of 1952.

2. For section 11 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitution of new section for section 11.

“11. (1) The Central Government may make rules to carry out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act after the commencement of the Salaries and Allowances of Ministers (Amendment) Act, 1977 shall be laid before each House of Parliament and no such rule shall come into force until it has been approved, whether with or without modifications, by each House of Parliament and published by the Central Government in the Official Gazette.”

3. Notwithstanding anything contained in section 11 of the principal Act, as it stood immediately before the commencement of this Act, no

Validation.

rule made, or purporting to have been made, by the Central Government under that section with retrospective effect and no action taken or thing done in accordance with the rule so made, at any time before the commencement of this Act, shall be deemed to be invalid or ever to have been invalid by reason only of the fact that the Central Government had no power to make such rule retrospectively under that section.

STATEMENT OF OBJECTS AND REASONS

The salaries and allowances of the Union Ministers are governed by the Salaries and Allowances of Ministers Act, 1952 (58 of 1952) and the rules made thereunder. Sub-section (1) of section 11 of the Act empowers the Central Government to make rules for carrying out the purposes of this Act.

2. In exercise of the powers so conferred, the Central Government had been making rules from time to time and in respect of certain rules amending the Ministers' (Allowances, Medical Treatment and other Privileges) Rules, 1957, retrospective effect was given, though the Act does not provide for such retrospective effect.

3. On the recommendations of the Committee on Subordinate Legislation which examined these rules, it is now proposed to amend section 11 of the Act so as to provide that every rule made under that section shall be laid before each House of Parliament and no such rule shall come into force until it has been approved, with or without modifications, by each House of Parliament and published by the Central Government in the Official Gazette. It is also proposed to validate the rules which have been given retrospective effect.

4. The Bill seeks to achieve the above objects

CHARAN SINGH.

NEW DELHI;

The 21st July, 1977.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to substitute section 11 of the Act which relates to rule making power of the Central Government. Sub-section (1) of that section empowers the Central Government to make rules for carrying out the purposes of the Act. Sub-section (2) provides that the rules made under sub-section (1) shall come into force only after they have been approved by each House of Parliament with or without modifications.

2. The matters with respect to which rules may be made are matters of detail. The delegation of legislative power is, therefore, of normal character.

BILL No. 89 OF 1977

A Bill to provide for the acquisition of the Lady Hardinge Medical College and Hospital and for the management of the Kalavati Saran Hospital, with a view to ensuring better facilities for higher medical education for women and medical facilities for women and children in the Union Territory of Delhi and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Lady Hardinge Medical College and Hospital (Acquisition) and Miscellaneous Provisions Act, 1977.

Short
title
and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2 In this Act, unless the context otherwise requires,—

Defini-
tions.

(a) “appointed day” means the date on which this Act comes into force;

(b) “Board of Administration” means the Board of Administration constituted by the Central Government under the Scheme;

(c) "Board of Management" means the Board of Management of the Kalavati Saran Hospital, constituted by the Central Government;

(d) "Fund" means the Lady Hardinge Hospital for Women and Children, Delhi, Fund, established by the Scheme;

(e) "Kalavati Saran Hospital" means the institution known as the Kalavati Saran Children's Hospital, New Delhi, together with the dispensaries attached thereto and used in connection therewith, and includes all laboratories and libraries used in connection with, or as accessories to, or adjuncts of, the said Hospital;

(f) "Lady Hardinge Medical College and Hospital" means the institutions known as the Lady Hardinge Medical College for Women, New Delhi, and the Lady Hardinge Hospital for Women and Children, New Delhi, together with the dispensaries attached thereto and used in connection therewith, and includes all lecture-rooms, museums, laboratories, libraries, hostels and boarding-houses used in connection with, or as accessories to, or adjuncts of, the said College or Hospital;

(g) "Scheme" means the Scheme for the administration of the Fund settled by the Central Government under sub-section (1) of section 5 of the Charitable Endowments Act, 1890, and published with the notification of the Government of India, in the late Ministry of Health, No. F.4-3(1)/53-MI, dated the 12th June, 1953, as amended by the notifications of the Government of India, in the late Ministry of Health, No. F. 4-77/56-M II, dated the 14th March, 1957 and No. F 4-77/56-MII, dated the 17th March, 1957;

6 of 1890.

(h) "Treasurer" means the Treasurer of Charitable Endowments of India, appointed under the Charitable Endowments Act, 1890.

6 of 1890.

CHAPTER II

ACQUISITION OF LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL

Lady
Hardinge
Medical
College
and
Hospital
to vest
in
Central
Govern-
ment.

3. (1) On the appointed day, the Lady Hardinge Medical College and Hospital together with—

(a) all lands, on which the Lady Hardinge Medical College and Hospital stands, and all other lands appurtenant thereto and all buildings, erections and fixtures on such lands;

(b) all furniture, equipments, stores, apparatuses and appliances, drugs, moneys and other assets of the Lady Hardinge Medical College and Hospital;

(c) all other properties and assets, movable and immovable including leases pertaining to the Lady Hardinge Medical College and Hospital, whether vested in the Treasurer or the Board of Administration or in any other person; and all rights, powers, authorities and privileges, cash balances, reserve funds, investments and all other rights and interests in, or in relation to, or arising out of, such property as were, immediately before the appointed day, in the ownership, possession, power or control of the Treasurer or the Board of Administration or any other person in charge of the management of the affairs of the Lady Hardinge Medical College and Hospital; and

(d) all borrowings made by, or on behalf of, and all other liabilities and obligations of whatever kind, incurred in relation to,

the Lady Hardinge Medical College and Hospital, and subsisting on the appointed day,

shall stand transferred to, and shall vest absolutely in, the Central Government.

(2) Every deed of gift, endowment, bequest or trust or other document in relation to all or any of the properties, and assets, referred to in sub-section (1), shall, as from the appointed day, be construed as if it were made or executed in favour of the Central Government.

(3) Subject to the other provisions contained in this Act, any property, referred to in sub-section (1), which, by virtue of the provisions of that sub-section, has vested in the Central Government, shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and other incumbrances affecting it, and any attachment, injunction or any decree or order of any court or tribunal restricting the use of such property in any manner shall be deemed to have been withdrawn.

(4) Subject to the other provisions contained in this Act, any proceeding or cause of action, pending or existing immediately before the appointed day, by or against the Treasurer or the Board of Administration or any other person, in relation to the Lady Hardinge Medical College and Hospital, may, as from the appointed day, be continued and enforced by or against the Central Government as it might have been enforced by or against the Treasurer or the Board of Administration or such other person if this Act had not been enacted, and shall cease to be enforceable by or against the Treasurer or the Board of Administration or such other person.

4. (1) The Central Government shall give, in cash, to the Treasurer an amount equivalent to the sum of rupees one lakh for the transfer to, and vesting in, the Central Government, under section 3, of the Lady Hardinge Medical College and Hospital.

Payment
of
amount.

(2) The amount, referred to in sub-section (1), shall be paid within three months from the appointed day (hereafter in this section referred to as the specified period).

(3) The amount, referred to in sub-section (1), if not paid within the specified period, shall carry interest at the rate of four per cent. per annum from the date of expiry of the specified period until the payment thereof.

5 On and from the appointed day, the Lady Hardinge Medical College and Hospital shall be administered by the Central Government as a Government institution, and, in administering the properties transferred to and vested in it under section 3, regard shall be had to the purposes specified in the Scheme.

Lady
Hardinge
Medical
College
and
Hospital
to be
adminis-
tered as
Govern-
ment
institu-
tion.

Applica-
bility of
Act 2 of
1882 to
Board
of Admi-
nistration.

Amount
to be
held for
purposes
of
Scheme.

6. For the removal of doubts, it is hereby declared that nothing in this Act shall be deemed to apply to any right accrued to, or any liability incurred by, the Board of Administration or any member thereof under the provisions of the Indian Trusts Act, 1882, in respect of anything done or omitted to be done by it or him during any period preceding the appointed day.

7. (1) The amount paid under section 4 shall vest in the Treasurer, and shall be held by him in the same manner as the Fund vested in him was held by him immediately before the appointed day.

(2) The amount paid to the Treasurer under section 4 shall be administered by the Board of Administration in the same manner in which the Fund was administered by it, as if such amount were the Fund.

CHAPTER III

MANAGEMENT OF THE KALAVATI SARAN HOSPITAL

Kalavati
Saran
Hospital
to be
managed
as
Govern-
ment
institu-
tion

8. (1) Notwithstanding anything contained in any contract or instrument to the contrary, on and from the appointed day, the Kalavati Saran Hospital shall be managed by the Central Government as a Government institution.

(2) In managing the Kalavati Saran Hospital as a Government institution, regard shall be had to the purposes for which that Hospital was set up in pursuance of the indenture, dated the 8th day of June, 1954, executed by Shri Ashok Saran, and the indenture, dated the 8th day of June, 1954, executed by Shri Raghbir Saran, in favour of the President of India.

(3) On and from the appointed day, the Board of Management shall stand dissolved.

CHAPTER IV

MISCELLANEOUS

Act to
override
all other
enact-
ments.

Provi-
sions
relating
to officers
and other
employees
of
Lady
Hardinge
Medical
College
and
Hospital
and
Kalavati
Saran
Hospital.

9. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Act or any decree or order of any court, tribunal or authority.

10. (1) Every officer or other employee, who, immediately before the appointed day, is employed in, or in connection with the affairs of, the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, shall become, as from the appointed day, an officer or other employee, as the case may be, of the Central Government, and shall hold his office by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held, if this Act had not been enacted, and shall continue to do so unless and until his employment under the Central Government is duly terminated or until his remuneration, terms and conditions are duly altered by the Central Government:

Provided that, if the alteration so made is not acceptable to any such officer or other employee, his employment may be terminated by

the Central Government on payment to him of an amount equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in the case of other employees:

Provided further that nothing contained in this sub-section shall apply to any officer or other employee who has, by notice in writing given to the Central Government within thirty days next following the appointed day, intimated his intention of not becoming an officer or other employee of the Central Government.

14 of 1947.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of the services of any officer or other employee, employed in, or in connection with the affairs of, the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital to the Central Government shall not entitle any such officer or other employee to any compensation under that Act, or any other law, and no such claim shall be entertained by any court, tribunal or other authority.

(3) For the persons who, immediately before the appointed day, were the trustees for any pension, provident or gratuity fund or any other like fund constituted for the officers or other employees of the Lady Hardinge Medical College and Hospital and the Kalavati Saran Hospital, there shall be substituted as trustees such persons as the Central Government may, by general or special order, specify.

11. (1) All contracts, deeds, bonds, agreements, powers of attorney, grants of legal representation and other instruments of whatever nature, subsisting or having effect immediately before the appointed day, and to which the Board of Administration or, as the case may be, the Board of Management, or any person on behalf of the Board of Administration or, as the case may be, the Board of Management is a party, or which are in favour of the Board of Administration or, as the case may be, Board of Management, shall, in so far as they relate to any purpose, or affairs, of the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, be of as full force and effect against, or in favour of, the Central Government, and may be enforced or acted upon as fully and effectually as if in place of the Board of Administration or, as the case may be, the Board of Management, the Central Government had been a party thereto or as if they had been issued in favour of the Central Government.

Effect of
contracts,
etc.

(2) If, on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, or any affair of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, is pending by, or against, the Board of Administration or, as the case may be, the Board of Management or the Treasurer or any other person, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the Lady Hardinge Medical College and Hospital to the Central Government or by reason of the assumption of management of the Kalavati Saran Hospital by the Central Government, or of anything contained in this Act; but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government.

Contracts
in bad
faith or
detrimen-
tal to the
interests
of
Lady
Hardinge
Medical
College
and
Hospital
and
Kalavati
Saran
Hospital
to be
cancelled
or varied.

12. (1) Notwithstanding anything contained in section 11, the Central Government may, if satisfied after such inquiry as it may think fit, that any contract or agreement entered into before the appointed day between the Board of Administration or Board of Management or any member thereof, in relation to the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, or any affairs connected with the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, has been entered into in bad faith, or is detrimental to the interests of the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, it may make an order cancelling or varying (either unconditionally or subject to such conditions as it may think fit to impose for the purpose) such contract or agreement and thereafter the contract or agreement shall have effect accordingly:

Provided that no contract or agreement shall be cancelled or varied except after giving to the parties to the contract or agreement a reasonable opportunity of being heard.

(2) Any person, aggrieved by an order made under sub-section (1), may make an application to the principal court of civil jurisdiction within the local limits of whose jurisdiction the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, is situated, for the variation or reversal of such order and thereupon such court may confirm, modify or reverse such order.

Duty to
deliver
possession
of pro-
perty, etc.

13. (1) On the transfer to, and the vesting in, the Central Government of the Lady Hardinge Medical College and Hospital, and on the assumption of the management of the Kalavati Saran Hospital by the Central Government,—

(a) the Board of Administration, or, as the case may be, the Board of Management, and every person in whose possession, custody or control any property or asset specified in sub-section (1) of section 3, or any property or asset pertaining to the Kalavati Saran Hospital may be, shall deliver the same to such officer or other person as may be authorised by the Central Government in this behalf;

(b) the Board of Administration or, as the case may be, the Board of Management, and every person who, immediately before such vesting or assumption, has in his possession, custody or control any books, documents or other papers relating to the Lady Hardinge Medical College and Hospital, or the Kalavati Saran Hospital, shall be liable to account for the said books, documents and papers to the Central Government and shall deliver them up to the Central Government or to such officer or other person as may be authorised by the Central Government in this behalf.

(2) Without prejudice to the other provisions contained in this section, it shall be lawful for the Central Government to take all necessary steps for taking possession of all properties and assets which have been transferred to, and vested in, it under this Act, or in relation to which the management has been assumed by it under this Act.

14. Any person who,—

Penalty.

(a) having in his possession, custody or control any property held for the purposes of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, wrongfully withholds such property from the Central Government; or

(b) wrongfully obtains possession of, or retains, any property held for the purposes of the Lady Hardinge Medical College and Hospital, or the Kalavati Saran Hospital; or

(c) wilfully withholds or fails to furnish to the Central Government any books, documents or other papers relating to the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital; or

(d) fails to deliver to the Central Government any assets, books or other documents in his possession, custody or control relating to the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital; or

(e) wrongfully removes or destroys any property held for the purposes of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital; or

(f) wrongfully uses any property held for the purposes of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

15. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences
by com-
panies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

Protection
of action
taken in
good
faith.

16. No suit, prosecution or other legal proceeding shall lie against the Central Government or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

Cogni-
zance of
offences.

17. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, no court shall take cognizance of any offence under this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

2 of 1974.

Indem-
nity.

18. Every officer of the Central Government shall be indemnified by the Central Government against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act except such as have been caused by his own wilful act or default.

Power to
make
rules.

19. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions; and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

In 1912, Lady Hardinge collected funds for starting a medical college for women, to be staffed entirely by women, with a hospital for women and children attached to it, in commemoration of the visit to Delhi, in 1911, of the Queen of England. The College started functioning in 1916 and was managed by an *ad hoc* committee. The management of the College and Hospital by the committee proved unsatisfactory and, in 1927, the College and Hospital were taken over by the Association for the Control and Management of the Lady Hardinge Medical College for Women and Hospital for Women and Children, Delhi, a society, registered under the Societies Registration Act, 1860, which set up a governing body to manage the College and Hospital. In 1953, on the application, and with the consent, of the Association, the Central Government settled a scheme under section 5 of the Charitable Endowments Act, 1890, to manage the affairs of the College and Hospital. Under this scheme, the main purpose for which the Association was established was retained intact, but the management of the College and Hospital was vested in a Board of Administration and the Association became defunct. Almost the entire recurring and non-recurring expenditure in relation to the College and Hospital are, from the outset, met by the Central Government through grants-in-aid, the funds originally collected having been spent on the construction of some buildings and the endowment of some scholarships.

2. The Kalavati Saran Children's Hospital, New Delhi, was established in 1956 by the Central Government in the campus of the Lady Hardinge Medical College and Hospital from the sale proceeds of the properties assigned to the Central Government by Shri Ashok Saran and Shri Raghbir Saran by two Indentures, executed by them separately on the 8th day of June, 1954. This Hospital provides teaching facilities to the medical students of the Lady Hardinge Medical College and deals with cases of all branches of paediatrics, including diagnosis and treatment in out-patient as well as in-patient departments. The facilities provided in this Hospital are complementary to the facilities provided in the Lady Hardinge Medical College and Hospital. It is being managed by a Board of Management, constituted by the Central Government. The entire recurring and non-recurring expenditure in relation to the Kalavati Saran Children's Hospital also is met by the Central Government.

3. The Inspectors, appointed by the Medical Council of India and the University of Delhi, have, from time to time, pointed out the need to improve the standards of, and the facilities for, medical education provided by the Lady Hardinge Medical College. The present set up of these institutions with two separate Boards for the administration of their affairs is also proving cumbersome in their efficient day-to-day management in a co-ordinated manner. These institutions are situated in the

heart of the capital and have the potential to set a very high standard in the spheres of medical education and patient care. It would be in the interests of the medical students and the public to develop the Lady Hardinge Medical College and Hospital and the Kalavati Saran Children's Hospital complex into a centre of excellence for imparting medical education to women and for providing advanced health care for women and children. It is, therefore, necessary to provide for the administration of that College and Hospital as well as the Kalavati Saran Children's Hospital as Government College and Hospitals and to acquire the assets of the Lady Hardinge Medical College and Hospital for the said purpose.

4. The Bill seeks to achieve the above objects.

NEW DELHI;

RAJ NARAIN.

The 21st July, 1977.

FINANCIAL MEMORANDUM

Under sub-clause (1) of clause 4 of the Bill, the Central Government has to pay a sum of Rs. 1 lakh to the Treasurer of Charitable Endowments for the transfer to and vesting in it, under clause 3 of the Bill, of the Lady Hardinge Medical College and Hospital.

2. Even now, the Lady Hardinge Medical College and Hospital and the Kalavati Saran Children's Hospital are maintained mainly from grants made by the Central Government every year on "cover the deficit basis". The amount of such grant, during the financial year 1975-76, for the purpose of meeting the recurring expenses of the Lady Hardinge Medical College and Hospital, was Rs. 152.91 lakhs and of the Kalavati Saran Children's Hospital Rs. 32.50 lakhs. The amount of such grants for the financial year 1976-77 for the two institutions was Rs. 163.89 lakhs and Rs. 33.11 lakhs. The provision made for the current financial year for such grant is Rs. 178.28 lakhs in the case of the Lady Hardinge Medical College and Hospital and Rs. 37.50 lakhs in the case of the Kalavati Saran Children's Hospital. Besides this, the Central Government is incurring expenditure on the construction of buildings and the purchase of the equipments required for these institutions. The Central Government would have continued to meet the expenses necessary for the maintenance of both these institutions from the Consolidated Fund of India hereafter also. Therefore, if the Bill is enacted and brought into operation, there is not likely to be any additional expenditure from the Consolidated Fund of India on these accounts.

3. However, some additional expenditure will have to be incurred from the Consolidated Fund of India by way of pension, gratuity and similar benefits to be extended to the employees of these institutions when, by virtue of the provisions contained in clause 10, such employees become Government servants. It is not possible to estimate the actual expenditure that may have to be incurred on this account; but it is likely to be of the order of Rs. 83,000 in a year.

4. The Bill, if enacted and brought into operation, will not involve any other recurring or non-recurring expenditure from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

There is no provision in the Bill which contemplates the making of any rule by the Central Government on any specific matter. However, it is considered desirable to confer on the Central Government a general power to make rules to carry out the provisions of the Act, so that the Central Government may not be without power to make rules with regard to matters of detail in the administration of the Lady Hardinge Medical College and Hospital and the Kalavati Saran Children's Hospital as Government institutions, in case it finds that such rules have to be made for the better administration of these institutions. Therefore, a general power has been conferred on the Central Government by clause 19(1) of the Bill to make rules to carry out the provisions of the Act. The necessary safeguard of placing the rules so made before the Houses of Parliament has also been provided for by sub-clause (2) of that clause.

2. The delegation of legislative power is, therefore, of a normal character.

AVTAR SINGH RIKHY,
Secretary